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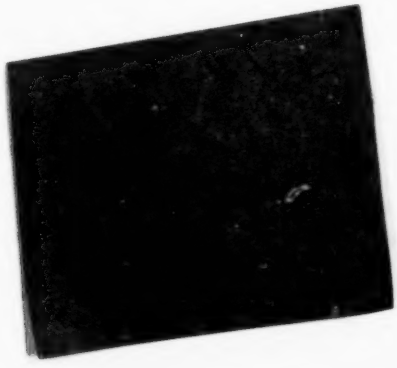
QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by the International Educational Development, Inc., a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[27 July 1997]



GE.97-13212 (E)

1. Impunity, disregard for human rights and the high level of violations committed by the Mexican authorities are well documented. 1/ A growing concern within this context is the use of the military in civilian roles and the increasing violations being committed by the army against civil society.

2. Mexico is facing the militarization of some of the poorest and most indigenous zones of the country, such as Chiapas, Chihuahua, Estado de México, Hidalgo, Guerrero, Michoacan, Oaxaca, Puebla and Veracruz, under the pretext of fighting guerrillas and narcotics traffic. United States pressure on Mexico to be aggressive in its anti-narcotics effort, its emphasis on the military's role in combatting narcotics traffic and the provision of training and sophisticated equipment to Mexico's military for counter-narcotics programmes is contributing to a policy with serious human rights ramifications. 2/

3. Military personnel hold six of the key offices in the Attorney General's Office, and key positions in 25 of the 32 State police authorities (Seguridad Pública). It is estimated that there are at present between 2 and 3,000 military personnel employed by the police authorities in the Federal District alone.

4. The presence of military forces without a declaration of a state of emergency is neither justifiable nor legal. 3/ The raison d'etre of army forces is to protect their country's borders rather than provide citizens with the safeguards necessary to enable them to exercise their rights. Furthermore, the State lacks the appropriate mechanisms to bring the army to account. The use of the military for internal security has had grave consequences of the lives of campesino communities including the displacement of people from their lands, interrogation, prostitution, alcoholism and assault. 4/

5. Following the many cases received by the Centro de Derechos Humanos "Miguel Agustín Pro Juárez" (Prodh), it has become clear that the army is targeting members of civil organizations as possible members of armed movements. The security forces have maintained that "the operations of armed groups have been protected by the political activities or the supposed campaigns of civil and human rights organizations, some of whose members are also members of the PRD". 5/ On this basis many community leaders have been detained, tortured and held incommunicado, the majority of whom subsequently receive death threats if they denounce their captors. There is also a high incidence of house searches without warrants and road blocks, which has led to repression and fear within many States. There are also cases of civilians being tortured by the military and forced to "confess" to alleged crimes, and many cases of robberies undertaken by army personnel. 6/

Guerrero

6. An example of the impact of militarization is the experience in the State of Guerrero. Following the violence recorded between the Mexican Army and the Ejercito Popular Revolucionario (EPR) 7/ in Guerrero, two human rights observer missions representing the Red de Organismos Civiles de Derechos Humanos "Todos los Derechos para Todos", the Comité de Derechos Humanos José Maria Morelos y Pavon and the Secretaria de Derechos Humanos del Partido de la

Revolucion Democratica (PRD) visited Guerrero in May and June 1997 to investigate and verify allegations of serious human rights violations against the civilian population. 8/ These missions established the occurrence of systematic human rights violations by the Mexican Army against local authorities containing PRD representatives, rural organizations, social and community leaders and the civil population.

7. Since the appearance of the EPR, communities situated in rural areas where the EPR have been sighted have been at the centre of a miliary deployment comprising artillery tanks, helicopters, convoys and heavily armed patrols. Under the auspices of investigating EPR sightings, the army has resorted to the use of torture, abductions, arbitrary detention and death threats against families of detainees, unauthorized entry and search of individual households, robbery, harassment and many other human rights violations. These violations have taken place in the municipalities of Ahuacotzingo, Atoyac de Alvarez, Chilapa, Coyuca de Beniítez, Metlatónoc, Olinalá and Tlapa, and Xochistlanhuaca in Guerrero.

8. These communities have faced systematic abuses including searches, detention, torture and beatings. Typically, the army surrounds a community, in response to an incident which allegedly occurred and prevents the inhabitants from entering or leaving. Searches are conducted based upon a "list of subversives" held by the army which contains alleged members of the EPR. During the search, soldiers illegally enter houses and detain the inhabitants. Detainees are generally blindfolded and have their hands bound before being thrown into military vehicles and taken away. During the journey, soldiers regularly sit on top of the victims, often for several hours at a time. Subsequently, vehicles carrying victims taken from other communities meet at a predetermined location where the detainees are transferred to different military vehicles which take them to a secret location for interrogation.

9. On arrival, many victims describe being stripped and bound tightly in canvas, they are forced to lie down face upwards with a cloth over their nose and mouth onto which water is poured until they are almost asphyxiated. Victims also describe suffering heavy blows to the head, thorax and abdomen causing them to vomit; having their heads immersed in excrement; or having a plastic bag placed over their head which is only removed shortly prior to unconsciousness. In some cases, victims are subjected to mock executions whereby an unloaded gun is pointed and fired at their temple; many others describe receiving electric shocks to the genitalia and other parts of the body.

10. During interrogation, the torturer forces victims to make a variety of confessions; that they were involved in the "incident" for which they were falsely detained; that their membership of the PRD or other civil organizations confirms that they are also EPR members; that they are supporting the EPR by supplying them with weapons; that they participated in EPR meetings; that they are sheltering guerrillas in their homes; or that they are giving the EPR food and hiding their uniforms and weapons. In addition, victims are forced to admit that they know of EPR hiding places.

Recommendations

11. The situation in Guerrero provides an example of the gravity and systematic nature of the violations being committed by the army. These violations are of extreme concern and reflect the climate of impunity which exists throughout law enforcement bodies in Mexico. We appeal to the United Nations to create a special rapporteur for Mexico to encourage the compliance of Mexico with its international human rights obligations and to advance the process of creating a climate of respect for human rights in this country. We also urge the international community to press for the withdrawal of the military from civil duties - a usage which is contrary to both national and international law.

Notes

1/ See, for example, written statement submitted to the Commission on Human Rights at its fifty-third session (E/CN.4/1997/NGO/50), by International Education Development/Humanitarian Law Project. See also "Human rights violations in Mexico", Centro de Derechos Humanos "Miguel Agustín Pro Juárez" A.C. (Prodh), May 1997.

2/ See WOLA Briefing Series: Issues in International Drug Policy "The evolving role of Mexico's military in public security and antinarcotics programs", Eric Olson, Washington Office on Latin America, May 1996.

3/ This militarization is contrary to article 129 of the Mexican Constitution.

4/ "La militarización de la policia en Chihuaha como experiencia piloto" in Informe sobre la Situación General de los Derechos Humanos en Mexico Humanos en México La Red Nacional de Organismos Civiles de Derechos Humanos "Todos los derechos para todos" July 1996.

5/ Position of the Centre for Investigation and National Security of the Secretary of the Department of the Interior (CISEN), Ramirez, Proceso 979.

6/ There are many documented cases. For example, see SIDIDH, Prodh, 23 January 1997.

7/ The EPR or Popular Revolutionary Army, a guerrilla group operating in the several States, including Guerrero.

8/ Human rights observer mission to Guerrero, Mexico, 29 May to 22 June 1997. See "Informe sobre la presunta implicación del ejército Mexicano en violaciones a los derechos humanos en el estado de Guerrero", Prodh, 1997.